

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 4th day of April, 2011 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight Mayor  
Vickie Abrego Mayor Pro Tempore  
Ross McElwee Council Member  
Phillip Hyatt Council Member

ABSENT: Jay Attaway Council Member

ADMINISTRATIVE PERSONNEL PRESENT: Allen Lawrence City Attorney  
Yvonne Stonebraker City Secretary

ADMINISTRATIVE PERSONNEL ABSENT: Reggie Winters City Manager

STAFF PRESENT: Carsten Meyer Emergency Management Coordinator

OTHERS PRESENT: Jim & Alpha Covington, Sandy Kubek, Donald & Jeanie Brummett, Ed & Ellie Block, Scott Andrews, Gary McRae, Phil & Nell Reynolds, Katie Roberts Verhelst, Capt. Fred & Hope Comingore, Rosemary Vega/CoC, Randy & Jeanne Hunter, Capt. Tom Doran, Ann Melton, and Jim Mills.

*There may have been others present who did not sign in.*

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on April 4, 2011.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the pledge of Allegiance to the United States Flag.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF MARCH 21, 2011.**

Council Member Hyatt made a motion to approve the minutes of March 21, 2011. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON THE FOLLOWING TAX RESALE PROPERTY BIDS:**

A. Lee Schmitt	Lt 1, Blk 230	W. Yoakum	\$3,050.00
B. Lee Schmitt	Lt 20-22, Blk 442	S. Rife	\$2,800.00
C. Lee Schmitt	Lt 4, Blk 506	S. Houston	\$2,500.00
D. Lee Schmitt	Lts 28-30, Block G	S. Euclid	\$3,500.00
E. Lee Schmitt	Lts 25 & 26, Blk 589	S. Railroad	\$2,500.00
F. Lee Schmitt	Lt 1, Blk 257	S. 10 <sup>th</sup>	\$4,150.00
G. Lee Schmitt	Lts 4-6 & 19-20, Blk 2	S. Lamont	\$3,500.00
H. Lee Schmitt	Lts 5-7, Blk 387	N. Lamont	\$3,500.00
I. Lee Schmitt	Lots 1-B & 2, Blk 259	S. 10 <sup>th</sup>	\$5,000.00
J. Lee Schmitt	Lot 7, Blk 211	Ave A/Myrtle	\$8,500.00
K. Lee Schmitt	Lots 23 & 24, Blk 547	N. Arch	\$2,000.00
L. Lee Schmitt	Lot 16, Blk 234	N. 10 <sup>th</sup>	\$1,500.00
M. Michael & Lisa Theriot	Lots 5,6,11-13, Blk 1	S. Lamont	\$7,000.00
N. Amalia Martinez	Lots 16, 17 & 22, Blk 323	N. 7 <sup>th</sup>	\$ 684.00

Mr. Robert Cuevas, with tax attorneys Linebarger, Goggan, Blair and Sampson (Linebarger), stated there were bids on 14 tax resale properties. He stated since the City could assess different liens (street assessment, demolition and weed lot liens), Linebarger always presents the bids to City Council first. He stated once they were approved through City Council, Linebarger would present them to the School District and once bids were accepted through the School District then the bid would be presented to the appropriate County.

Mayor Knight asked Mr. Cuevas if bidders were aware of city liens attached to the properties.

Mr. Cuevas stated Linebarger made all bidders aware that there could be liens attached to the properties and it was the bidder's responsibility to research for said liens.

Mayor Pro Tem Abrego stated Letter E, Lots 25 & 26, Block 589, S. Railroad, is located by the harbor and the City did not want to sell property located by the harbor.

Mayor Knight stated Letter J, Lot 7, Block 211, corner of Avenue A and Myrtle had an appraised value of \$29,000 and thought the bid of \$8,500 was too low for five acres of land.

Council Member McElwee made a motion to accept bids on the following tax resale properties Letters A thru N, excluding Letters E and J, subject to payment of City's liens. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

4. **CONSIDER AND ACT ON APPROVING THE REQUEST OF PROJECT GRADUATION FOR THE USE OF THE AQUATIC CENTER ON FRIDAY, JUNE 3, 2011 FROM MIDNIGHT UNTIL 2 A.M., LIFEGUARDS INCLUDED, FREE OF CHARGE.**

Mayor Pro Tem Abrego made a motion to approve the request of Project Graduation for the use of the Aquatic Center on Friday, June 3, 2011 from midnight until 2 a.m., lifeguards included, free of charge. Council Member Hyatt seconded the motion and the motion carried unanimously.

5. **CONSIDER AND ACT ON RESOLUTION 2011-649 – A RESOLUTION AMENDING A CONN BROWN HARBOR CONTRACT AND LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND DOUG AND NEIL, INC. AND ACCEPTING CERTAIN TERMS AND CONDITIONS.**

Council Member Hyatt made a motion to approve Resolution No. 2011-649 – A Resolution amending a Conn Brown Harbor Contract and Lease Agreement between the City of Aransas Pass and Doug and Neil, Inc. and accepting certain terms and conditions. Council Member McElwee seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON REQUEST OF MR. SCOTT ANDREWS (HARBOR LEASE G & S MARINE, INC) FOR A FIVE YEAR LEASE WITH A FIVE YEAR OPTION TO RENEW AND OMITTING THE 90 DAY OUT-CLAUSE.**

Council Member McElwee made a motion to table the request of Mr. Scott Andrews (Harbor Lease G&S Marine, Inc.) for a five year lease with a five year option to renew and omitting the 90 day out-clause until after the harbor workshop (scheduled for Monday, April 11, 2011 at 7:00 pm). Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

*The following item was tabled March 21, 2011 and must be untabled before considering.*

7. **CONSIDER AND ACT ON APPROVING ORDINANCE NO. 2011-3995 – AN ORDINANCE ESTABLISHING A PROGRAM INCLUDING MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF ARANSAS PASS; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES; PROHIBITING UNAUTHORIZED WARNING AND ALL-CLEAR SIGNALS AND MAKING VIOLATIONS A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED \$1,000 OR CONFINEMENT IN JAIL FOR A TERM NOT TO EXCEED 180 DAYS.**

Council Member Hyatt made a motion to untable Agenda Item No. 7. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

Council Member McElwee made a motion to approve Ordinance No. 2011-3995 – an Ordinance establishing a program including mitigation, preparedness, response and recovery phases of comprehensive emergency management; acknowledging the office of Emergency Management Coordinator; and providing for duties and responsibilities of those offices; identifying an operational organization; granting necessary powers to cope with all phases of emergency management which threaten life and property in the City of Aransas Pass; authorizing cooperative and mutual aid agreements for relief work between this and other cities or counties and for related purposes; prohibiting unauthorized warning and all-clear signals and making violations a misdemeanor punishable by fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days. Council Member Hyatt seconded the motion and the motion carried unanimously.

**8. CONSIDER AND ACT ON (1) APPOINTMENT TO THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT BOARD.**

Council Member McElwee made a motion to approve the appointment of Mr. Richard Head to the Municipal Development District board. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

**9. CONSIDER AND ACT ON (4) APPOINTMENTS TO THE ED & HAZEL RICHMOND PUBLIC LIBRARY BOARD.**

Mayor Pro Tem Abrego made a motion to approve the reappointment of Ms. Debra Kullman, Ms. Patsy Crumrine, Ms. Helen Aylott, and Ms. Ruth Maddox to the Ed & Hazel Richmond Public Library board. Council Member Hyatt seconded the motion and the motion carried unanimously.

**10. CONSIDER AND ACT ON A PROPOSAL TO SPONSOR THE OWNERS TOURNAMENT SET FOR JUNE 18, 2011 ON CONN BROWN HARBOR USING HOTEL/MOTEL TAX MONEY NOT TO EXCEED \$1,500.00.**

Mayor Pro Tem Abrego made a motion to approve a proposal sponsoring the Owners Tournament set for June 18, 2011 on Conn Brown Harbor using Hotel/Motel tax money not to exceed \$1,500.00. Council Member Hyatt seconded the motion and the motion carried unanimously.

**12. CITIZENS COMMENTS.**

Capt. Tom Doran asked the Council if he could give a 15 minute presentation at the harbor workshop.

Mayor Knight stated yes.

Mr. Sandy Kubek stated that the Council, when approving harbor leases, should insert "lease subject to....." and insert the conditions.

Mayor Knight stated all harbor leases had certain terms and conditions.

Mayor Pro Tem Abrego thanked the Aransas Pass citizens and employees for getting the little league fields in order for opening day.

**13. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:45 P.M.

**A. SECTION 551.074 – PERSONNEL MATTERS – MUNICIPAL COURT JUDGE**

**14. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened into Regular Meeting at 8:20 P.M.

**A. SECTION 551.074 – PERSONNEL MATTERS – MUNICIPAL COURT JUDGE**

Council Member Hyatt made a motion to approve combining the Municipal Court Judge and the Deputy Court Clerk positions for a probationary period of six (6) months with a salary of fifty-

thousand dollars (\$50,000) a year with all full time employee benefits. Council Member McElwee seconded the motion and the motion carried unanimously.

15. **ADJOURNMENT OF MEETING.**

Council Member McElwee made a motion to adjourn the meeting. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:21 P.M.

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Tommy Knight, Mayor

ATTEST:

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Yvonne Stonebraker, City Secretary